

EXHIBIT A

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SHAUN THOMPSON and MARCELLA WATT,
*on behalf of themselves, FLSA Collective Plaintiffs,
and the Class,*

Plaintiffs,

v.

Case No.: 1:20-cv-09581

ELEV8 CENTER NEW YORK, LLC.
d/b/a ELEV8 CENTERS
d/b/a ELEV8,
URBAN RECOVERY HOUSE, LLC.
d/b/a URBAN RECOVERY,
LEE WEISS,
and DONNA MAE DEPOLA,

OFFER OF JUDGMENT

Defendants.

PLEASE TAKE NOTICE that, pursuant to Rule 68 of the Federal Rules of Civil Procedure, defendants ELEV8 CENTER NEW YORK, LLC D/B/A ELEV8 CENTERS D/B/A ELEV8, URBAN RECOVERY HOUSE, LLC D/B/A URBAN RECOVERY, AND DONNA MAE DEPOLA (collectively, “**Appearing Defendants**”) hereby offer to allow judgment to be taken against them by Plaintiffs SHAUN THOMPSON, MARCELLA WATT and WILLICIA HOOKS (collectively, “**Plaintiffs**”) in the above-captioned action in the total sum of Five Thousand Dollars and No Cents (**\$5,000.00**), inclusive of damages, interest, penalties, attorneys’ fees, costs, and expenses, accrued through the date of this offer in final and full settlement this action.

In order for Named Plaintiffs to accept this offer, Named Plaintiffs must serve written notice of acceptance upon Appearing Defendants within fourteen (14) days after service of this

Offer of Judgment. An offer not accepted within the specified period for acceptance will be deemed withdrawn.

This Offer of Judgment is made for the purposes specified in Rule 68 of the Federal Rules of Civil Procedure and is not to be construed as an admission of liability of any of the Appearing Defendants, nor is it an admission that Named Plaintiffs suffered any damages. This Offer of Judgment shall not be filed with the Court unless accepted.

Appearing Defendants shall make payment in the total sum of Five Thousand Dollars and No Cents (\$5,000.00) within 14 days after the entry by the Clerk of the Court of a judgment in connection with this Offer of Judgment.

Named Plaintiffs shall file a satisfaction of judgment upon receipt and clearance of the payments.

Evidence of this Offer of Judgment shall be inadmissible except as provided in Rule 68 of the Federal Rules of Civil Procedure.

Dated: New York, New York
December 8, 2024

January

HERRICK, FEINSTEIN, LLP

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Newark, NJ 07102
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Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on ~~December~~ ^{January} 8, 2025, I caused Defendants' Offer of Judgment to be served, via electronic mail, upon Plaintiffs' counsel of record in this matter:

C.K. Lee, Esq.
Lee Litigation Group, PLLC
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New York, NY 10011
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By: 

Kathleen Heather Robinson, Esq.